

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/574,210 Confirmation No.: 5687  
Applicant : Sripriya Venkata Ramana Rao  
Filed : August 29, 2006  
TC/A.U. : 1615  
Examiner : Barham, Bethany P  
Customer No. : 38199  
Title : PANTOPRAZOLE MULTIPARTICULATE FORMULATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FIFTH INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicant(s) submit(s) to the Examiner the attached document listing and this paper pursuant to 37 CFR §§1.56 and 1.97-1.98. The:

- ☐ form(s) is/are  
☒ form(s) and document(s) are

attached.

This Information Disclosure Statement is submitted:

- ☐ less than three months from the filing date of this application and before the receipt of a first Office Action on the merits. Therefore, no fees are believed due.

- ☐ more than three months from the filing date of this application and before the receipt of a first Office Action on the merits. Therefore, no fees are believed due.
- ☐ less than three months from the filing date of this application, but after the receipt of a first Office Action on the merits. However, no fees are believed due.
- ☒ more than three months from the filing date of this application and after the receipt of a first Office Action on the merits. Therefore, the fee of \$180 is believed due and the Director is hereby authorized to charge the fee of \$180 to our Deposit Account Number 08-3040.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

### REMARKS

The following information is provided in accordance with the requirement of 37 CFR §§1.97-1.98. In the event that the Examiner considers the inclusion of this/these item(s) on the attached form(s) inappropriate and strikes out the citation on the form(s), Applicant(s) request(s) that the Examiner indicate consideration of the attached document(s) in the body of the next paper, *i.e.*, Office Action or Notice of Allowability. Because this information disclosure statement (IDS) is in accordance with the provisions of 37 CFR §§1.97-1.98, consideration of this/these document(s) by the Examiner is required (See MPEP §609).

### PUBLISHED CO-PENDING US APPLICATIONS

Listed below are co-pending, published US patent application(s). These applications and the present application are commonly owned.

| <b>First Inventor<br/>Last Name</b> | <b>Appln. No.</b> | <b>Filing Date</b> | <b>Publn. No.</b> | <b>Publn.<br/>Date.</b> |
|-------------------------------------|-------------------|--------------------|-------------------|-------------------------|
|                                     |                   |                    |                   |                         |
|                                     |                   |                    |                   |                         |

### UNPUBLISHED CO-PENDING US APPLICATIONS

Listed below are co-pending, unpublished US patent application(s). These applications and the present application are commonly owned.

| <b>First Inventor Last Name</b> | <b>Appln. No.</b> | <b>Filing Date</b> |
|---------------------------------|-------------------|--------------------|
|                                 |                   |                    |
|                                 |                   |                    |

Copies of the above applications are not provided as they are contained in the USPTO IFW system (*see* MPEP §609.04(a)II.C).

### DOCUMENTS DISCUSSED IN SEARCH REPORTS

Listed below are documents listed in a Search Report, of which a copy of the search report is attached. These Documents were previously cited in an IDS.

| Search Report            |                   |                        |                          |
|--------------------------|-------------------|------------------------|--------------------------|
| Date of Search Report    | Country of Origin | Application No.        |                          |
| December 4, 2009         | Taiwan            | 93128690               |                          |
|                          |                   |                        |                          |
| Patent Documents         |                   |                        |                          |
| First Inventor Last Name | Country of Origin | Patent/Publication No. | Publication Date         |
| Dietrich                 | US                | 5,997,903              | 12-07-1999               |
| Seth                     | US                | 6,159,499              | 12-12-2000               |
| Depui                    | US                | 6,365,184              | 04-02-2002               |
|                          |                   |                        |                          |
| Non-Patent Documents     |                   |                        |                          |
| First Author Last Name   | Journal Name      | Title                  | Vol., Issue, Pages, Date |
|                          |                   |                        |                          |
|                          |                   |                        |                          |
|                          |                   |                        |                          |

OFFICE ACTIONS ISSUED BY FOREIGN PATENT OFFICES

In an effort to submit information for consideration by the USPTO, Applicant(s) submit(s) the following:

1. Office Action dated December 2, 2009 and issued in counterpart Taiwan Patent Application No. 93128690.

| <b>Official Office Action?</b>   | <b>English Translation of Office Action?</b>   | <b>Correspondence from Agent regarding Office Action*</b>  | <b>Response to Office Action Attached</b>                              |
|--|--|--|--|
| <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
|  |  |  |  |

\* confidential information redacted from correspondence.

2. First Exam report dated May 13, 2008 and issued in counterpart Chilean Patent Application No. 2558-2004.

| <b>Official Office Action?</b>   | <b>English Translation of Office Action?</b>   | <b>Correspondence from Agent regarding Office Action*</b>  | <b>Response to Office Action Attached</b>                              |
|--|--|--|--|
| <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
|  |  |  |  |

\* confidential information redacted from correspondence.

4. Official Action dated December 10, 2007 and issued in counterpart Guatemala Patent Application No. PI-2004-0194.

| <b>Official Office Action?</b>   | <b>English Translation of Office Action?</b>   | <b>Correspondence from Agent regarding Office Action*</b>  | <b>Response to Office Action Attached</b>                              |
|--|--|--|--|
| <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |

5. Communication dated August 8, 2007 and issued in counterpart EP Patent Application No. 04789540.4-2123.

| <b>Official Office Action?</b>   | <b>English Translation of Office Action?</b>   | <b>Correspondence from Agent regarding Office Action*</b>  | <b>Response to Office Action Attached</b>                              |
|--|--|--|--|
| <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> N/A | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Pursuant to 37 CFR §1.98(a)(1), these items are included on the attached form entitled "Other information submitted for consideration by the Office". The attached is submitted solely in an effort to ensure that the Examiner has an opportunity to consider information that was considered by a foreign patent office(s). However, Applicant(s) maintain(s) that the mere submission of this document is not an admission that the same is material to patentability (See MPEP §609).

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The Examiner is respectfully requested to consider the document(s) identified in this paper and in the attached form(s) during the course of examination of this application.

Respectfully submitted,

HOWSON & HOWSON LLP

A handwritten signature in cursive script, reading "Cathy A. Kodroff", written over a horizontal line.

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